



Department of Planning, Housing, & Community Development

Mayor, Matthew T. Ryan
Director, Tarik Abdelazim

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Zoning Board of Appeals Official Decision

OFFICE OF THE CITY CLERK
CITY OF BINGHAMTON

TO: Angela Fagerstrom, City Clerk and Tom Costello, Building Bureau
FROM: Patrick C. Day, Planner
DATE: February 20, 2013
RE: 31 Washington Street; Area Variances
TAX ID: 160.56-2-9
PETITIONER: 3i Graphics & Signs (for Newman Development Group)
CASE #: ZBA 2012-22

Maximum Number of Projecting Signs (to allow installation of 9 projecting signs), Maximum Number of Signs Per Frontage (to allow 8 signs on Washington Street and 3 signs on Susquehanna Street) and Maximum Sign Area for Projecting Sign(s) (to allow 540 square feet of sign area) to allow a total of Nine 3' x 20' Projecting Signs in the C-2, Downtown Business District.

A public hearing was held on February 15, 2013 at 12:00 p.m., at a scheduled special meeting of the Zoning Board of Appeals, as required by Section 410-94(A) of the Zoning Ordinance. The petitioner presented proof of service by certified mail and by publication as required by Section 410-94(B) of the Zoning Ordinance and paid the required filing fee. The petitioner also posted the public notice sign as required.

At this meeting, Scott Baker of 3i Graphics & Signs presented information on the proposed project. No one spoke in favor or in opposition of the proposed project. No letters were received in favor or in opposition of the proposal. The public hearing was then closed.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, for the Zoning Board of Appeals to consider the action an Unlisted action for the purposes of SEQR. The Zoning Board of Appeals voted 4-0 on the motion. The following members voted to approve the motion: JoAnn Mastronardi, Matthew Stiles, Robert Warholic, and J. Kelly Donovan. No one voted against the motion.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, for the Zoning Board of Appeals to act as Lead Agency under SEQR. The Zoning Board of Appeals voted 4-0 on the motion. The following members voted to approve the motion: JoAnn Mastronardi, Matthew Stiles, Robert Warholic, and J. Kelly Donovan. No one voted against the motion.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, for the Zoning Board of Appeals to, acting as Lead Agency, make a **Negative Declaration** for the proposed action under SEQR. The Zoning Board of Appeals voted 4-0 on the motion. The following members voted to approve the motion: JoAnn Mastronardi, Matthew Stiles, Robert Warholic, and J. Kelly Donovan. No one voted against the motion.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, to approve the requested area variance. The Zoning Board of Appeals voted 4-0 on the motion. The following members voted to approve the

motion: JoAnn Mastronardi, Matthew Stiles, Robert Warholic, and J. Kelly Donovan. No one voted against the motion.

Comments/Findings:

1. The Zoning Board of Appeals determined that the requested area variances would not produce an undesirable change in the character of the neighborhood.
2. The Zoning Board of Appeals determined that for the applicant's proposed use there was not a reasonable alternative.
3. The Zoning Board of Appeals determined that the variances requested were not substantial.
4. The Zoning Board of Appeals determined that the requested variances would not have an adverse impact on the physical and environmental conditions in the neighborhood.
5. The Zoning Board of Appeals determined that the alleged difficulty could be considered self-created, but that should not preclude the granting of the requested variances.

PETITION: The request for area variances of Maximum Number of Projecting Signs (to allow 9 projecting signs), Maximum Number of Signs Per Frontage (to allow 8 signs on Washington Street and 3 signs on Susquehanna Street) and Maximum Sign Area for Projecting Sign(s) (to allow 540 square feet of sign area) in the C-2, Downtown Business District was **APPROVED**.

A transcript of this meeting will be filed with the City of Binghamton Planning Department.


Petition Number: ZBA 2012-22

Reviewed and Approved:

Date: 3/12/13


Allison Sosa, Assistant Corporation Counsel

Date: 3/13/13


JoAnn Mastronardi, Chairperson Zoning Board of Appeals